IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

Tr.P(C).No. 295 of 2006()

OP.554/2006 of FAMILY COURT, KANNUR

.....

: PETITIONER/RESPONDENT

AHHILA SREEDHARAN,
D/O.SREEDHARAN, TEACHER, AMRITHA VIDYALAYAM,
'AKHILA NIVAS', KOVOOR,
MEDICAL COLLEGE P.O., KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS: PETITIONER

K.K.SIVADASAN,
S/O.DAMODARAN NAMBIAR,
BUREAU CHIEF, AMRITA T.V.,
'KANAKAM', NEAR TO SREE SUNDERESWRA TEMPLE,
TALAP, KANNUR-2.

BY ADV. SRI.KRISHNA PRASAD. S
SRI.S.ASHOK KUMAR.
SADANANDAN NAMPOOTHIRI

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/12/2006 ALONG WITH TR.P.(C)296/06 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

TR.P.9C)295/06

ORDER ON I.A.3418/06 IN TR.P.9C0295/06

DISMISSED

15.12.06 SD/-M.SASIDHARAN NAMBIAR, JUDGE.

/TRUE COPY/

PA TO JDUGE.

M.SASIDHARAN NAMBIAR,J.

Tr.P.(C)NO. 295/06 &
296 OF 2006

DATED THIS THE 15th DAY OF DECEMBER, 2006

ORDER

Petitioner is the wife and respondent, the husband, in both the cases. Tr.P.(c)295/06 was filed to transfer O.P.554/06 from Family Court, Kannur to Family Court, Kozhikode. That O.P. was filed by respondent for restitution of conjugal rights. Tr.P.(c)296/06 was filed to transfer O.P.555/06 from Family Court, Kannur to Family Court, Kozhikode. That O.P. was filed by respondent for custody of their minor child. Wife seeks order to transfer both the cases to Kozhikode on the ground that she is residing at Kozhikode and O.P.771/06 filed by petitioner seeking divorce is pending before Family Court, Kozhikode.

2. Learned Counsel appearing for respondent opposed the prayer for transfer contending that respondent is employed at Kannur and it is difficult for him to travel to Kozhikode. Learned Counsel appearing for respondent also submitted that respondent was not permitted to see the child, by the petitioner.

3. On hearing learned Counsel appearing for petitioner and respondent, it is clear that all the cases are to be tried by the same

Family Court. O.P.771/06 is now pending before Family Court, Kozhikode. In such circumstances and considering the fact that petitioner is residing at Kozhikode, O.Ps.554/06 and 555/06 pending before Family Court, Kannur are withdrawn and transferred to Family Court, Kozhikode. Respondent is at liberty to seek orders from Family Court, Kozhikode to see the child.

M.SASIDHARAN NAMBIAR,JUDGE

Acd